

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LAWRENCE PALMER, et al.,  
Plaintiffs,  
v.  
HSBC BANK, USA, N.A.,  
Defendant.

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Case No. [22-cv-02178-VC](#)

**ORDER RE SUMMARY JUDGMENT**

Re: Dkt. Nos. 144, 149

The Court will defer consideration of the motion for summary judgment until Palmer can take a 30(b)(6) deposition of HSBC (and a deposition of Brian Ahearn, if Ahearn is not the 30(b)(6) witness). Given that HSBC's motion for summary judgment depends on the Ahearn declaration, it would be unfair to adjudicate the motion without this further discovery. The deposition (or depositions) should focus only on the remaining claims in this case—not the state-law claims and not the class allegations the Court has already dismissed.

The deposition or depositions must take place within 28 days of this order. Within 35 days of this order, Palmer must file a supplemental letter brief, not to exceed five pages. HSBC may file a responsive letter brief, not to exceed five pages, due seven days after Palmer's brief. The Court will decide whether an additional hearing is necessary after the letter briefs are filed.

**IT IS SO ORDERED.**

Dated: September 13, 2022

  
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VINCE CHHABRIA  
United States District Judge